

60 East 42nd Street • Suite 2727 • New York, NY 10165 • T: 212.792-0046
E: jason@levinestein.com

Via ECF

The Honorable Mary Kay Vyskocil, U.S.D.J.
U.S. District Court, Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007

February 18, 2022

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/29/2022

Re: *Combs et al v. Same Day Delivery Inc. et al*
Case No.: 1:22-cv-00520-MKV

Dear Honorable Judge Vyskocil:

This law firm represents Plaintiffs Edward Combs, Janiqua Mayo, Martin Sierra, Dereshon Weaver-Moore, William Pertha, Wayne Reed, and Erhauyi Omoregie (collectively, the “Plaintiffs”) in the above-referenced matter. This letter is submitted jointly with Defendants Same Day Delivery Inc., Scott Weinstein and Bene Ewerthon (collectively, the “Defendants”).

Pursuant to of Your Honor’s Individual Motion Practice Rule 2(G) and 4(B), this letter respectfully serves as a request to stay the instant action, and stay all existing deadlines, *sine die*, pending the outcome of an anticipated arbitration.

The parties have discussed, and agreed, to resolve the instant wage-and-hour action in arbitration. In the unlikely scenario that the arbitration tribunal will not agree to hear the parties’ dispute, or should the parties require this Court’s intervention, the parties’ respectfully request that the civil case be held in abeyance, pending the outcome of the arbitration.

In light of the foregoing, the parties respectfully request that the Court stay the instant action, and stay all existing deadlines, *sine die*, pending the outcome of an anticipated arbitration.

Thank you, in advance, for your time and attention.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

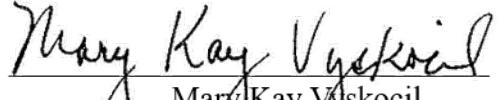
By: /s/ Jason Mizrahi

Jason Mizrahi
60 East 42nd Street, Suite 4700
New York, NY 10165
Tel. No.: (212) 792-0048
Email: Jason@levinestein.com
Attorneys for Plaintiffs

Cc: All Counsel of Record (via ECF)

The Parties are directed to appear for a conference in this matter on April 6, 2022 at 10:00am. The conference will be held telephonically. To join the conference, dial 888-278-0296 and enter access code 5195844.

Date: 3/29/2022
New York, New York


Mary Kay Vyskocil
United States District Judge